

1-1 By: Shapiro S.B. No. 738
1-2 (In the Senate - Filed February 16, 2011; February 23, 2011,
1-3 read first time and referred to Committee on Education;
1-4 April 26, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 26, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 738 By: Shapiro

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a parental role in determining sanctions applied to a
1-11 public school campus under certain circumstances.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 39.107, Education Code, is amended by
1-14 amending Subsection (e) and adding Subsections (e-2) and (e-3) to
1-15 read as follows:

1-16 (e) If a campus is considered to have an unacceptable
1-17 performance rating for three consecutive school years after the
1-18 campus is reconstituted under Subsection (a), the commissioner,
1-19 subject to Subsection (e-1) or (e-2), shall order:

1-20 (1) repurposing of the campus under this section;

1-21 (2) alternative management of the campus under this
1-22 section; or

1-23 (3) closure of the campus.

1-24 (e-2) For purposes of this subsection, "parent" has the
1-25 meaning assigned by Section 12.051. If the commissioner is
1-26 presented, in the time and manner specified by commissioner rule, a
1-27 written petition signed by the parents of a majority of the students
1-28 enrolled at a campus to which Subsection (e) applies, specifying
1-29 the action described by Subsection (e)(1), (2), or (3) that the
1-30 parents request the commissioner to order, the commissioner shall,
1-31 except as otherwise authorized by this subsection, order the
1-32 specific action requested. If the board of trustees of the school
1-33 district in which the campus is located presents to the
1-34 commissioner, in the time and manner specified by commissioner
1-35 rule, a written request that the commissioner order specific action
1-36 authorized under Subsection (e) other than the specific action
1-37 requested in the parents' petition and a written explanation of the
1-38 basis for the board's request, the commissioner may order the
1-39 action requested by the board of trustees.

1-40 (e-3) For purposes of Subsection (e-2), the signature of
1-41 only one parent of a student is required.

1-42 SECTION 2. This Act applies beginning with the 2011-2012
1-43 school year.

1-44 SECTION 3. This Act takes effect immediately if it receives
1-45 a vote of two-thirds of all the members elected to each house, as
1-46 provided by Section 39, Article III, Texas Constitution. If this
1-47 Act does not receive the vote necessary for immediate effect, this
1-48 Act takes effect September 1, 2011.

1-49 * * * * *